

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

Jerry Gilliam,

Plaintiff,

Case No. 15-cv-11833

Hon. Judith E. Levy

v.

Mag. Judge Mona K. Majzoub

William H. Ordiway, Jr., and  
Marveilyn Talisic Ordiway,

Defendants.

**OPINION AND ORDER ADOPTING MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION [31] AND CHANGING  
VENUE TO THE U.S. DISTRICT COURT FOR THE EASTERN  
DISTRICT OF MICHIGAN, BAY CITY**

On February 12, 2016, the Magistrate Judge filed her Report and Recommendation, recommending that the Court grant defendants' Motion for Change of Venue to Bay City Court (Dkt. 12) and deny plaintiff's Motion for Default Judgment (Dkt 25). (*See* Dkt. 31.)

No party filed objections to the Report and Recommendation, and the time for doing so has expired. *See* 28 U.S.C. § 636(b)(1)(C); Fed. R. Civ. P. 72(b)(2). The failure to object to the Report and

Recommendation waives any further right to appeal. *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). The failure to object also relieves this Court from its duty to review this matter independently. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). The Court has nonetheless thoroughly reviewed the Report and Recommendation and relevant parts of the record, and agrees with the analysis and conclusions of the Magistrate Judge.

Accordingly,

The Magistrate Judge's Report and Recommendation is adopted. Defendants' Motion for Change of Venue to Bay City Court (Dkt. 12), is granted, and plaintiff's Motion for Default Judgment (Dkt 25), is denied. The case is transferred to the U.S. District Court for the Eastern District of Michigan, Bay City.

IT IS SO ORDERED.

Dated: March 22, 2016  
Ann Arbor, Michigan

s/Judith E. Levy  
JUDITH E. LEVY  
United States District Judge

### **CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's

ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on March 22, 2016.

s/Felicia M. Moses  
FELICIA M. MOSES  
Case Manager